

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
ANEITA HENRY-LEE, individually and as the
ADMINISTRATRIX of the Goods Chattels and
Credits of PETER C. A. LEE, deceased,

Plaintiffs,

- against -

THE CITY OF NEW YORK, NEW YORK CITY
POLICE DEPARTMENT, POLICE OFFICER JOHN
BAUMEISTER (shield # 24846), POLICE OFFICER
MICHAEL INGRAM (shield # 1727), KEVIN
ROUGHNEEN (shield # 2942), JOHN DOE 1-10 (the
fictitious names of persons yet to be identified), JMR
REST CORP., d/b/a RORY DOLANS RESTAURANT
BAR, CITY OF YONKERS and YONKERS POLICE
DEPARTMENT,

Defendants.
-----X

**NOTICE TO TAKE
DEPOSITION UPON ORAL
EXAMINATION OF PLAINTIFF**

Index No.: 08-cv-0089(DC)

Assigned to:
Hon. Denny Chin

PLEASE TAKE NOTICE, that pursuant to Federal Rules of Civil Procedure, the defendant, **JMR REST CORP., d/b/a RORY DOLANS RESTAURANT BAR**, will take the testimony of plaintiff before a Notary Public as to all relevant facts and circumstances in connection with the cause of action and allegations herein including liability and damages, on the 2nd day of May, 2008 at 10:00 in the forenoon of that day at the law offices of **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, 530 Saw Mill River Road, Elmsford, New York 10523.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Federal Rules of Civil Procedure, the parties to be deposed are directed to produce at this examination, for the purpose of refreshing their recollections and for examinations, inspection and copying, all records, books,

photographs, documents, correspondence and other writings and papers in their possession or available to them, which relate to the matters herein on which the parties are to be examined under this notice.

Dated: Elmsford, New York
April 2, 2008

By: _____
James M. Skelly (JMS/4844)

**MARKS, O'NEILL, O'BRIEN
& COURTNEY, P.C.**
Attorneys for Defendant
**JMR REST CORP., d/b/a RORY
DOLANS RESTAURANT BAR**
530 Saw Mill River Road
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(914) 345-3701
File No.: 495.81515

TO: **THE ADAM LAW OFFICE, P.C.**
Attorneys for Plaintiffs
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City Hall, 40 South Broadway
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(914) 377-6256

AFFIDAVIT OF SERVICE BY MAIL

STATE OF NEW YORK)
 : ss:
COUNTY OF WESTCHESTER)

MARTHA AGIS, being duly sworn, deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Pearl River, New York.

On the ____ day of April, 2008, deponent served the within **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION OF PLAINTIFF**, upon the parties herein stated below, by depositing and mailing same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, at the following addresses:

TO: **THE ADAM LAW OFFICE, P.C.**
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the ADMINISTRATRIX of the Goods Chattels
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City Hall, 40 South Broadway
Yonkers, New York 10701
(914) 377-6256

MARTHA AGIS

Sworn to before me on this
day of April, 2008

NOTARY PUBLIC